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HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR
DIVISION BENCH

CORAM : HON'BLE SHRI S.R. NAYAK, CJ.
HON'BLE SHRI V.K. SHRIVASTAVA, J.

Writ Petition (C)No. 5854 OF 2006

PETITIONERS

1. M/s. R.K. Polytubes, 26, Industrial Growth Centre, Borai, Distt. Durg (C.G.), (Through its Partner Shri Ravi Gupta, S/o Late Shri Bhola Prasad Gupta, Aged about 40 years)

2. M/s. Fairdeal Agencies, Kalpana House Station Road, Durg (C.G.) (Through its Partner Shri Prakash Gupta, S/o Late Shri Bhola Prasad Gupta, Aged about 41 years)

Versus

RESPONDENTS

1. Union of India-Through the Secretary, Ministry of Finance, Department of Revenue, North Block, New Delhi -110 001

2. Customs, Excise and Service Tax, Appellate Tribunal, Through Assistant Registrar West Block No. 2, R.K. Puram, New Delhi – 110 066

3. Commissioner of Central Excise, New Central Excise Building, Dhamtari Road, Tikrapara, Raipur (Chhattisgarh)

Present : Shri P. Diwakar, learned Sr. Adv. with Shri P.K. Bhaduri, learned counsel for the petitioners.
Shri Bhishma Kinger, learned Standing counsel for respondents/Union of India.

ORAL ORDER
(Passed on 08-11-2006)

The following oral order of the Court was passed by

S.R. Nayak, CJ.

Learned counsel for the petitioners sought permission of the Court to withdraw the writ petition reserving liberty to avail of the appeal remedy provided under Section 35-G of the Central Excise Act, 1944.

(2) The writ petition is, therefore, dismissed, however, reserving liberty as sought for. No costs.

Sd/-
Chief Justice

Sd/-
V.K.Shrivastava
Judge